

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Magaline Austin,)	
)	
Plaintiff,)	Civil Action No.: 1:17-cv-01797-JMC
)	
v.)	
)	
Commissioner of Social Security)	ORDER
Administration,)	
)	
)	
Defendant.)	
<hr style="width: 40%; margin-left: 0;"/>)	

This matter is before the court on Plaintiff Magaline Austin’s (“Plaintiff”) Motion for Attorney’s Fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d). (ECF No. 19.) Defendant responded to Plaintiff’s Motion (ECF No. 20) and the parties agreed to a stipulation that Plaintiff should be awarded four thousand forty two dollars and fifty cents (\$4,042.50) in attorney’s fees and twenty two dollars and sixty nine cents (\$22.69) in expenses. (*Id.*) After reviewing Plaintiff’s Motion and Defendant’s Response, the court finds that the stipulated request for fees is reasonable and that Plaintiff is entitled to an award of attorney’s fees under the EAJA in the stipulated amount.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to be offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B). Therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff’s counsel. The amount of attorney’s fees payable to Plaintiff will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. If Plaintiff’s outstanding federal debt exceeds the amount of attorney’s

fees under the stipulation, the stipulated amount will be used to offset Plaintiff's federal debt and no attorney's fees shall be paid. (*See* ECF No. 20 at 1-2.)

After a thorough review of Plaintiff's Motion (ECF No. 19) and Defendant's Response (ECF No. 20), the court **GRANTS** Plaintiff's Motion for Attorney's Fees (ECF No. 19) and awards \$4,042.50 in attorney fees and \$22.69 in expenses.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 5, 2018
Columbia, South Carolina